

Remarks

Claim 1 has been amended to add the limitations of claim 3. Although slightly different in wording, claim 1 is now virtually the same as the previous claim 3. Claim 5 is retained. Only the amended claim 1 and claim 5 remain in the application.

The claims in the application were rejected as unpatentable over Lazzarotti. Reconsideration in view of the following comments is respectfully requested.

Lazzarotti discloses that articles are cut out one at a time to a main conveyor, but does not disclose that a group or plurality of articles may be cut out at the same time. Therefore the concept of storing a plurality of articles on a feeder, and then cutting out a group consisting of some but not all of the stored articles with the remainder of the articles staying behind on the feeder, is not suggested in Lazzarotti.

The further limitations of claim 1, taken from claim 3, are not believed to have been addressed in the previous action. According to the added language in claim 1 taken from claim 3, "when it is impossible to cut out all of the articles stored in this auxiliary conveyance path to the reserved spacing, another spacing is reserved in the main conveyance path for cutting out of the articles remaining in this auxiliary path, with priority over other auxiliary paths". This is a highly important feature of applicant's invention and is nowhere suggested in the prior art of record, including Lazzarotti. According to this limitation in claim 1, when articles stored in the auxiliary conveyance path cannot be cut out all at once to the reserved spacing, this auxiliary conveyance path is given priority over the other auxiliary conveyance paths in reserving a spacing for the cutting out of the articles remaining in the auxiliary conveyance path. Since this feature is not disclosed or suggested in Lazzarotti, claim 1 in its present form is believed to be clearly allowable.

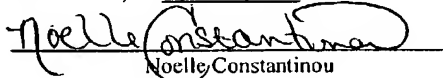
Claim 5 depends from claim 1 and distinguishes further from the references by stating that the spacing equal to or greater than a predetermined length is a spacing equal to a spacing preset between the groups of articles in a before-and-behind relation plus a minimum length of the stored article.

In view of the foregoing, this application is now believed to be in condition for allowance and such action is respectfully requested.

The Commissioner is hereby authorized to charge any deficiencies, or credit any overpayments associated with this communication to our Deposit Account No. 50-0852.

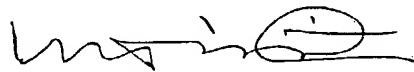
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on April 26, 2004.


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Respectfully submitted,

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